

## Class Interruptions ~ Ms. Black's Class

Date	Period	Time	Class Activity	Interrupted by	Purpose	Action Needed
01/11/05	2nd	10:55	Final notes and discussion on my first day with new students.	Mr. Connolly	To give me the gradesheet for my homeroom Speech grades.	Stopped talking as Mr. Connolly came in. He said he had my grades, and I asked him if him could wait a minute until I could have the students get ready to go. Received his gradesheet and gave him mine.
01/12/05	7th	12:45	My first day with new students. Class introduction.	Melvin from Mr. Wertz	Gave me the gradesheet for my homeroom Science grades.	Stopped and got the sheet. Took it back to my desk.
01/12/05	7th	1:05	My first day with new students. Class introduction.	Marylyn from Ms. Aldan	Gave me the gradesheet for my homeroom Reading grades.	Stopped and got the gradesheet. Took it back to my desk.
1/13/05	3rd	1:00	Taking Strong Teens Pre-test	Mr. Connolly	Came into the classroom and I motioned for him to come to where I was working during the test. He said never mind and that he was looking for Ms. Cabrera's class.	It was an interruption during a class test. I let him know she has 2 doors, and to try the other side.
1/13/05	4th	2:00	Taking Strong Teens Pre-test	Ms. Sablan	Opened the door, was looking around.	I stopped and asked if I could help her. She said she was looking for a student but didn't say who.
01/14/05	5th	8:15	Class intro and discussion of report card day and PTSA.	Anthony from Mr. Aldan/Parapro	Asked for sick excuse. Student was supposed to be in my class, but I never saw him today until now.	Had to stop, talk to him, and write a note to the office.
01/14/05	5th	8:40	Discussing class supply list.	Larra and Kayla from Ms. Torres	Showed me a list of students that would participate next period in the Math Olympiad. (No warning in advance???)	Stopped, spoke with the girls, looked at the list, saw my name, and told them I was in the middle of class and didn't have time right then to read it and write all of the students' names down.

962100

Date	Period	Time	Class Activity	Interrupted by	Purpose	Action Needed
01/14/05	5th	9:03	Explaining the directions on a test we were getting ready to take.	Mr. Frank from Ms. Nepalal	Handed a copy of my syllabus. Asked to sign another copy of my syllabus. (I already have my own copy. Not sure why I received another copy?) Mr. Frank did show me I had the wrong year at the top.	Had to stop, talk to him, look at what he had. He asked me to sign it, which I didn't want to do until I had time to compare copies. I did not have time, but signed anyway so Mr. Frank would not get in trouble.
01/14/05	5th	9:20	Finishing class discussion. Getting ready for dismissal.	Larra and Kayla from Ms. Torres	Math Olympiad list again.	Asked the girls to please wait at my desk for a few minutes until I dismissed my students. Took care of it after my students left class.
01/14/05	6th	9:45	Explaining to students what they need to get out for class, and what to do once they sit down at their desks.	Heartim from Ms. Torres	Get students for Math Olympiad	I had already asked the girls to get their things ready to go and head over to the Olympiad.
1/17/05	3rd	1:35	Attendance, copying assignment from the board	LMA Students	Walking by, banging on the door and swearing. Sticking their heads in the window.	Went out and asked Mr. Teregeyo to please make sure his students don't disrupt my class every day. (It is a continuous problem). He said there wasn't much he could do.
1/18/05	5th	9:20	Copying and Discussing homework assignment	Mr. Martin for Mr. Gagarling	Needed to take Jack to Mr. Gagarling.	Stopped class, asked Mr. Martin if he was going to keep Jack, or if he would come back at break, and worked it out with him so Jack could finish writing his assignment at break.
1/18/05	7th	1:00	Working on Strong Teens Pre-Test	Mr. Martin from office	Carly going home for appointment.	Quick discussion with Martin and had Carly get her things to leave.

001797



Date	Period	Time	Class Activity	Interrupted by	Purpose	Action Needed
1/19/05	1st	8:15	Finishing announcements and beginning lesson.	John from Ms. Cabrera with sheets from Ms. Crisostomo	Wanted counts from our 2 <sup>nd</sup> Period and our 6 <sup>th</sup> period for some handouts on "at risk" kids, ???	Stopped reading the announcements to read their paper. Did not have the time in the middle of class to go through and count my students or determine which were "at risk" for anything.
1/19/05	1st	9:15	Writing homework assignment	Mr. Martin from the office	Handing out papers on portfolios and a memo from Dr. Inos about Environmental Awareness	Stopped what I was working to look over papers and receive my copies. Not sure why they couldn't be put in my mailbox.?
1/19/05	1st	8:10	Reading the announcements and collecting homework	Mr. Martin from Mr. Gogaring	Follow-up on a note I sent looking for a student who missed my class 2 days ago.	Stopped to read the paper and put it on my desk.
1/19/05	3rd	12:05	Class discussion	from Mr. Gogaring	Needed to take student from class.	Stopped to listen to Mr. G. Asked if the student would return.
1/24/05	6 <sup>th</sup>	10:48	Class discussion	Mario from Ms. Ada	Had a paper that needed ??? student nominations for something.	Stopped class discussion, went to the door, asked what the paper was for as I didn't have my glasses on. He didn't know. I went and got my reading glasses, looked at the paper, and told him I didn't have time to go over it in the middle of the class and to come back at break if it was important.
1/24/05	8 <sup>th</sup>	1:55	Prep - Working on grading and lessons	Mr. Martin from Mr. Brewer	Mr. Brewer wants to see me in his office	After: Ended up having a parent meeting with Ms. Wheat, Matt's mother. Was not prepared with any materials, as I was not aware we were going to have a meeting. Had discussion about Matt's grade in my class, as well as other concerns. (She wrote Mr. Brewer a letter - was it in

001798

1/26/05	5th	8:10	Homework collection and discussion	Darlene from Ms. Pedersen	List of Math Jeopardy students from 6 <sup>th</sup> period and a note to please excuse them	concern of all of his classes, or specifically geared towards me?)
1/26/05	5th	8:35	Class discussion on topic and review of syllabus	Mr. Martin for Mr. Brewer	Received a note of cancellation on parent meeting with Angie Wheat today	Stopped class, read the note, took it to my desk to copy down the names, returned it and got back to class
1/31/05	4th	2:05	Group discussions on assignment	Marla for Mr. Starkey	Handouts for ??? Hip Hop-a-Thon?	Stopped talking to the class to greet Mr. Martin and read the note. Thanked him for bringing it to me.
						Went to the door and collected the handouts. Asked what it was, what it was for, etc. and what am I supposed to do with them, but she didn't know.

001799



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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS  
STATE BOARD OF EDUCATION  
PUBLIC SCHOOL SYSTEM  
P.O. BOX 501370  
SAIPAN, MP 96950

August 23, 2005

Ms. Lisa S. Black  
P.O. Box 7983 SVRB  
Saipan, MP 96950

Commissioner of Education  
Rita Hocog Inos, Ed.D

Fax: (670) 322-5472

Dear Ms. Black:

This letter is to inform you that the Board has received your request for appeal of the Commissioner of Education's decision regarding your grievance against Principal Jim Brewer. Pursuant to PSS Certified Personnel Regulations Section 5602, I will appoint three members of the CNMI State Board of Education to act as the hearing panel in this matter.

Upon doing so, the chief hearing officer will schedule a hearing date and set a date for the exchange of witness lists and documents to be introduced at the hearing. At the hearing officer's discretion, a pre-hearing conference with you and PSS representatives may be scheduled. The hearing will take place no more than 45 days of your request for appeal. You will be informed of the date of the hearing and the pre-hearing conference, if one is needed.


Pursuant to PSS Regulations, you shall have the burden of proving your grievance by a preponderance of the evidence. You are entitled to retain counsel of your choosing at your own expense or you may represent yourself. If you have retained counsel, please inform the Board so that notices may be provided to him or her.

During the hearing, you will have the opportunity to make an opening statement, present evidence, cross-examine witnesses for the PSS and make a closing statement. The hearing will be recorded to serve as an official record of events.

Although the hearing officer will preside over the hearing, the decision regarding the grievance will be made by a majority vote for the panel. The hearing panel will issue a written decision to be served on you and the Commissioner. The decision will include findings of fact, conclusions of law and the reasons for them.

If you have any questions regarding this process, please review Section 5601 through 5611 of the Regulations for Certified Personnel.

Sincerely,

  
ROMAN C. BENAVENTE  
Chair, Board of Education

cc: Board Members  
Commissioner  
PSS Legal Counsel

Board of Education  
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Rec'd. 8/25/05  
Hocog





Employee's Exhibit "B"  
Tape Recording Transcripts  
Ms. Lisa Black ~ Hopwood Jr. High

Ms. Lisa Black

This is a transcript of a tape recording of a meeting held at Hopwood Jr. High School. The tape was used as a way of helping me keep notes and specific factual information about what was said by the parties involved.

- Side B ~ Wednesday, February 9<sup>th</sup>, 2005 - Continuation of Side A meeting. Meeting with Mr. Brewer, Mr. Gagaring, and Ms. Brel. Ms. Nepaial joined us late and sat behind me.

Moved directly into a disciplinary hearing which I was not aware was going to take place.

- Mr. Brewer – "Now, you, <Ms. Brel> unless you have anything to say now ... I'd like you to leave now. There is a disciplinary issue that we're going to discuss."

Ms. Black – "I'd actually like her to stay because she can help with my notes and all of that. And if it's a discipline issue about me, I don't have a problem with that."

Mr. Brewer – "This is going to be a general discussion about an issue that came up during a ... informal letter that you received about interrupting other classes during instructional time and to take care of personal business. Do you remember that discussion?"

Ms. Black – "Not personal business. Class business. Is that what you're referring to? When I gave out grades? <Before Christmas Break>"

Mr. Brewer – "O.K. The instruction was not to disrupt other classrooms during instructional time. I think you signed a letter about this ...?"

Ms. Black – "Yes I did."

Mr. Brewer – " Unless ... not to do that again. Do you remember that?"

Ms. Black – "Yes"

Mr. Brewer – "I'm told that yesterday afternoon, you did that again."

Ms. Black – "Yes"

Tape Recording Transcripts  
Ms. Lisa Black ~ Hopwood Jr. High

Mr. Brewer – "O.K. In direct conflict with the discussion we have had around this issue. O.K. So then, I'm told by Ms. Grayer that you went to her classroom during classroom time."

Ms. Black – "Yes, I did"

Mr. Brewer - "You went to confer with her around your interaction with Mr. Starkey. I guess my question is, why is it that you felt the need to disregard my instruction not to do that?"

Ms. Black – "Mainly because of the way that these things have been brought up and the way that, as I've talked to you in the past, I have become an obvious target of Ms. Nepaial early on. In the meeting that you and I had with Mr. Gagarin present, you even stated that as of October 6<sup>th</sup>, Ms. Beth believes that I'm the one that wrote the initial letter that went up to the board and that I am the one behind all of the signatures which I emphatically denied. You told me that the person who wrote that letter couldn't have been Ms. Sikyang because she didn't have the skill level to write that. As a result, I'm doing everything I can to follow through with what I'm doing. I stay over in my room all day every single day because of these difficulties."

Mr. Brewer (interrupting me) – "Listen, listen. Let's get back to the question of why you disregarded my instructions out there. You interrupted somebody's class during instructional time."

Ms. Black - "Mainly because people interrupt classes all of the time on a regular basis. And this ...."

Mr. Brewer – Interrupting again – "Even though I told you not to do this."

Ms. Black – "Absolutely. Yes, because of ...."

Mr. Brewer (Interrupting) – "Does that mean you disregard my instructions?"

Ms. Black – "That means that the entire campus takes that policy and interrupts classes. And, again, I am a target . I don't understand why this rule applies to me and doesn't apply to the rest of the campus. And the documentation that has been collected will definitely back that up."

Mr. Brewer – "Um, you know we have a rule about interrupting classes, uh, given the case that your classroom has been interrupted in the past, I mean, I told you that that's a game that you need to deal with at the time that people are interrupting your classroom, whether it's students or staff. If you allow that, then that's ok. The fact that this happens in other instances on the



Tape Recording Transcripts  
Ms. Lisa Black ~ Hopwood Jr. High

campus in my mind is neither here nor there. What is important is your disregard for my direct instruction that you not do this. Whether you think you are targeted or not, well that's a whole other issue that maybe you might want to discuss with somebody else. You're not being targeted, well, but you will be, uh, following, after I discussed it with Mrs. Grayer, held accountable for disregarding my instruction about not interrupting a classroom."

Ms. Black - "Yes, and I would like to also, and I don't know the method to do this, but I will also put in whatever methods that are appropriate in terms of filing grievances. They will go with the same thing we are talking about. Um, you just said to me if I'm not mistaken, that if people interrupt my class, then I should handle that, and if I choose to address that and let them in then that's ok. No teacher, whose class I've ever interrupted, has not said it wasn't ok. Ms. Grayer yesterday, did not say, 'No, I don't want to talk to you'. As a matter of fact, she came out of her room from the opposite side just so that she could talk to me. Now I also find it interesting that I am pretty sure that the person who came to you to point that out is in fact the person who filed the grievance in the first place. And I find it almost humorous. Um, I would like that issue addressed as soon as possible. <Referring to an unprofessional colleague and a grievance I had with him, and that he turned and filed on me.> And I also, you said the issue isn't important as to whether or not other people interrupt classes. The issue is that I decided to do what you told me not to do. My issue is equity and the lack of it on this campus. If there were equity, people would be notified that you are not allowed to interrupt classes under any circumstances."

Mr. Brewer - <interrupting> ... "That's not entirely true. If you have a genuine need to go into a classroom, into maybe your cohort to take care of a situation around a student behavior or something that has to do with student achievement ... yeah, there are a lot of reasons to interrupt a classroom. I'm not going to say that there's absolutely no reason to interrupt a class. What I am saying is that, number 1 --- let me address your issues --- The person who brought this to my attention yesterday was not Mr. <colleague>, it was Ms. Grayer. So you're in error there."

Ms. Black - "O.K. Thank you."

Mr. Brewer - "The next thing is, uh, I'm not going to set down an absolute rule that you can not do this, however, I will tell ya that you cannot bother classroom instruction time to take care of personal business. This issue about the alleged involvement of your grievance by Ms. Grayer is a personal issue. It's not an educational issue. So you just tried to take care of some personal issues by interrupting her class. Whether she came outside or not is highly immaterial in that, as I stated earlier, a lot of teachers on this campus are



Tape Recording Transcripts  
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afraid of you. Now I do not know why, I don't particularly see you as a threat. But a lot of teachers, just like some students, think that you're psychic. I don't know how they get that impression, but that's the impression that teachers have."

Continued discussion about interrupting classes. Prior to being dismissed from the meeting, the following conversation occurred:

Ms. Nepaial – "I do have to get going, but I did want to ask her about an issue that I've heard a lot about her that came up about the petition. I would like to ask her one clarifying question about that. <Turns to me> Have you ever gone to any staff members on campus and said to them that you were soliciting their concern about Jim and I that we would terminate them or write them up that you would turn them in or write them up or aannnnnything like that?"

Ms. Black – "I'm not going to discuss blanket issues."

Ms. Nepaial – "That's not a blanket issue. That's a very specific issue. Have you solicited anyone ..."

Ms. Black – "No, you said, 'Have you ever ...'"

Ms. Nepaial – "Solicited negative comments and that after that they could be their name given anonymously that they should give them to you."

Ms. Black – "Once again, if you would like to address this issue in a meeting, I'd be more than happy to sit down with you and talk to you about specifics and documentation, etcetera. At this time, I have no desire to answer one question about a hornet's nest of information."

Mr. Brewer – "O.K. Thank you for comin in."

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